IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CUSTOMS APPEAL NO.30 OF 2006

The Commissioner of Customs ..Appellant.

V/s.

M/s.Agarwal Marbles (I) Pvt. Ltd. ..Respondent.

Mr.P.S.Jetly with Y.R. Mishra for appellant.

CORAM : V.C. DAGA AND J.P.DEVADHAR, JJ.

DATED : 15TH JUNE, 2006.

P.C. :-

Heard the learned counsel for the Revenue. The substantive order in appeal from 2004 has been accepted by the Revenue as the same has not been challenged. By Misc. Application, objection to the substantive order was sought to be raised which came to be rejected.

We do not see any reason to interfere with the impugned order passed in Misc. Application, especially, in absence of any challenge to the substantive order. No substantial question of law is involved.

The appeal is, therefore, dismissed in limini with no order as to costs.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)